

FILED
Clerk
District Court

MAY 30 2008

**IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF THE NORTHERN MARIANA ISLANDS**

For The Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO.: 08-00010-001
)	
Plaintiff,)	
)	INFORMATIONAL REPORT
vs.)	
)	
ROSE MAYO OMAR REYES,)	
)	
Defendant.)	
_____)	

Re: Violation of Pretrial Release Conditions, No Action Requested

On December 7, 2007, Ms. Rose Mayo Omar Reyes was charged in a sealed Criminal Complaint, Criminal Case 07-00028-001, with one count of False Statement in Application and Use of a Passport, in violation of 18 U.S.C. § 1542. On December 19, 2007, she was arrested and brought before the Honorable Alex R. Munson, Chief Judge, for an Initial Appearance hearing, at which time she was ordered detained. A Preliminary Examination hearing was set for December 21, 2007. On that day, however, the defendant returned to court with appointed counsel, Mr. F. Matthew Smith, and waived her right to a Preliminary Examination. Counsel represented that the defendant wished to cooperate with authorities and requested that she be released on bail. The court granted defense counsel's motion and the defendant was released with conditions. On January 14, 2008, the case was unsealed on motion of the Government.

On March 5, 2008, the defendant returned to Court with her attorney and entered a guilty plea to an Information charging her with Aiding and Abetting Attempted Illegal Entry, in violation of 8 U.S.C. § 1325(a) and 18 U.S.C. § 2. The case was docketed under Criminal Case 08-00010-001. Criminal Case 07-00028-001 was dismissed the following day. The defendant's release conditions were unchanged.

The defendant's release conditions are as follows: that she report to the U.S. Probation Office for Pretrial Services Supervision; that she execute an unsecured bond of \$10,000; that she surrender passport and obtain no new passport; that she not leave the island of Saipan without permission of the court; that she avoid all contact with victims and potential witnesses in this case including Mohamad Ruhul Amin; that she refrain from possessing a firearm, destructive device, or other dangerous weapon; that she refrain from any use of alcohol; that she refrain from use or unlawful possession of a narcotic drug or other controlled substance defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner; that she submit to any method of testing required by the pretrial services office of the supervising officer for determining whether she is using a prohibited substance; that she refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance abuse testing which is required as a condition of release; and that she report as soon as possible, to the pretrial services officer, any contact with law enforcement personnel. On April 30, 2008, her conditions were modified to include that she participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

The defendant is alleged to have violated the following conditions:

Special Condition: *The defendant will participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.*

Special Condition: *The defendant shall submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance.*

On May 6, 2008, Marianas Psychiatric Services (MPS) was instructed to conduct a substance abuse evaluation and assessment of Ms. Reyes. Dr. Avery of MPS scheduled a meeting with Ms. Reyes for Saturday, May 17, 2008, at the MPS office in Susupe, Saipan. On May 16, 2008, this officer drove to Ms. Reyes' home and instructed her to meet with Dr. Avery the following day. Ms. Reyes was reminded of the importance of the meeting and it was stressed that she had to attend.

On May 19, 2008, this officer received a message from Dr. Avery that Ms. Reyes failed to show for the scheduled appointment. Dr. Avery voluntarily called Ms. Reyes, asked for directions to her home, and drove to her residence to conduct the assessment. During the meeting, Ms. Reyes informed Dr. Avery that she failed to make the appointment because she did not have transportation. It is important to note that this officer has encountered this problem with Ms. Reyes in the past and has explained that if she has transportation problems, she needs to call this officer. Ms. Reyes has been provided this officer's cellular phone number for such purposes.

Dr. Avery submitted a report to this officer and recommended continued drug surveillance. Should Ms. Reyes test positive for illicit substances, a different course of action may be considered. Ms. Reyes continues to miss all of her random drug tests at MPS because of transportation problems. This officer visits Ms. Reyes at her residence when possible to conduct random drug testing and she has consistently tested negative.

Ms. Reyes was admonished for her failure to report for her scheduled meeting with Dr. Avery and her continual failure to report for scheduled drug tests. At this time, this officer recommends the court take no action. Ms. Reyes will be monitored for drug use and any other incidents of non-compliance will be reported to the court.

Respectfully submitted,

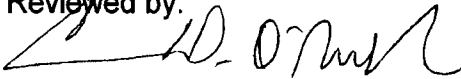
ROSSANNA VILLAGOMEZ-AGUON
Chief U.S. Probation Officer

By:



MELINDA N. BRUNSON
U.S. Probation Officer

Reviewed by:



CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader

cc: Eric O'Malley, Assistant U.S. Attorney
F. Matthew Smith, Defense Counsel
File